

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11992 V2

WATER RIGHT NUMBER: 37-11992 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MELISSA K FRY PO BOX 903 HAILEY, ID 83333
Current Owner	EDWIN H FRY PO BOX 903 HAILEY, ID 83333
Original Owner	SHARON M SATTERFIELD 775 E OLD SAYBROOK LN BOISE, ID 83706 (208)344-5735

Priority Date: 08/20/1981

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	L32 NW1/4SE1/4NW1/4	Sec. 1,	Twp 02S,	Rge 17E, B.M.
BLAINE County				

Place of UseDOMESTIC Within BLAINE County

T02S R17E S01 Lot 41 SENW	T02S R17E S01 Lot 44 SENW
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Conditions of Approval:

1. c18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-11992 V2

1. Explanatory PROPERTY AT POINT OF DIVERSION (LOT 32) IS ALSO KNOWN AS 113 MCCULLOCH DRIVE.
PROPERTY IN LOT 41 IS ALSO KNOWN AS 118 CAGLE DRIVE (GARAGE AND SOME IRRIGATION).
PROPERTY IN LOT 44 IS ALSO KNOWN AS 120 CAGLE DRIVE AND IS WHERE THE HOUSE IS LOCATED.

Dates and Other Information:

Decreed Date: 6/12/2000
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

July 1, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EDWIN H FRY
MELISSA K FRY
PO BOX 903
HAILEY ID 83333

RE: Decreed Water Right 37-11992

Dear Mr. and Mrs. Fry:

Pursuant to your phone call to Corey Skinner last Friday June 28, 2002, I have updated your water right record to conform to the settlement agreement filed with the SRBA court on March 9, 2000. Please find the enclosed copy of the computer record of the water right noting the change in owner. Review this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

RECEIVED

MAR 09 2001

Department of Water Resources
Adjudication BureauDISTRICT COURT SRBA
FIFTH JUDICIAL DISTRICT
COUNTY OF TWIN FALLS STATE OF IDAHO

MAR 9 2000

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase No. 37-11992

Case No. 39576

Standard Form 5

STIPULATED ELEMENTS
OF A WATER RIGHT

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Edwin H. Fry
Melissa K. Fry*Edwin H. Fry*

Edwin H. Fry

3-1-00

Date

Melissa K. Fry

Melissa K. Fry

3-1-00

Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

Larry A. Brown EWP

Date

Department of Justice
Natural Resources Div.

IDWR CONCURRENCE:

Robert Thron 3/9/00

Date

IDWR CONCURRENCE:

Date

**IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW**

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-11992

NAME & ADDRESS: ~~SHARON M. CATTERFIELD~~
~~775 E OLD SAYBROOK LN~~
~~BOISE ID 83706~~

EDWIN H. FRY E.F.
P.O. BOX 903
HAILEY, ID. 83333

MELISSA K. FRY MF
P.O. BOX 903
HAILEY, ID. 83333

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 08/20/1981

POINT OF DIVERSION: T02S R17E S01 LOT 32 (NWSNW) Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County

T02S R17E S01
SENW
LOT 41 (SENW)
LOT 44 (SENW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT
A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PROPERTY AT POINT OF DIVERSION (LOT 32) IS ALSO
KNOWN AS 113 MCCULLOCH DRIVE.
PROPERTY IN LOT 41 IS ALSO KNOWN AS 118 CAGLE
DRIVE (GARAGE AND SOME IRRIGATION).
PROPERTY IN LOT 44 IS ALSO KNOWN AS 120 CAGLE
DRIVE AND IS WHERE THE HOUSE IS LOCATED.

CERTIFICATE OF MAILING

I certify that on 3/9, 1999, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copy to:

Idaho Department of Water Resources
Adjudication Bureau
1301 North Orchard Street
Boise, Idaho 83706

3. Copies to all parties to the subcase (insert name)

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Edwin H. & Melissa K. Fry
P. O. Box 903
Hailey, ID 83333

Don't
Sign
this
page



Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-19-1997
PAGE: A-99

RIGHT NUMBER: 37-11992

NAME & ADDRESS: SHARON M SATTERFIELD
775 E OLD SAYBROOK LN
BOISE ID 83706

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 08/20/1981

POINT OF DIVERSION: T02S R17E S01 LOT 32 (NWSENW) Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC ~~D/I HOUSE~~ home	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T02S R17E S01 SENW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

(USED ON LOTS 41 & 44 BLM. THE WELL IS ON LOT 32 BLM & OWNED BY
M. PAULINE BEHEE.) comments

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

✓ 2/9/99

n11
n13

Location Original at
West Main Street
Quad 13
W.H.

Verified by _____ Date _____

Verification Source: _____